

THE LAW OFFICE OF

**ELISA HYMAN, P.C.**


**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 5/16/2023

May 16, 2023

Hon. Katharine H. Parker  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street, Courtroom 17D  
New York, NY 10007

APPLICATION DENIED. The Case Management Conference scheduled on May 17, 2023 at 12:00 p.m. is converted to a telephonic conference. At the scheduled time, counsel for the parties shall dial the Court's conference line at 866-434-5269, Access Code 4858267#.

**SO ORDERED:**



HON. KATHARINE H. PARKER  
UNITED STATES MAGISTRATE JUDGE 5/16/2023

Re: *N.A. et al. v. NYC Dep't of Educ., et al.*, No. 1:23-cv-108 (JHR)(KHP)

Dear Judge Parker:

I represent the Plaintiffs in the above-referenced case. I am writing jointly on behalf of both parties to request a two-week adjournment of the conference scheduled tomorrow, May 17, 2023. We apologize for the lateness of this request. Both parties' counsel had in-person appearances on emergency matters in federal court today; in fact, Defendants' counsel is still in the E.D.N.Y. as this letter is being drafted.

The parties are actively negotiating language in an interim stipulation to resolve the emergency issues regarding N.A.1 with the goal of being able to dismiss some of the claims that are unexhausted and relate to pendency rights under 20 U.S.C. 1415(j) with respect to the pending impartial hearing. We are extremely close and have been exchanging drafts as of last night. As the parties have previously advised the Court, our goal in doing so would be to move the rest of the issues relating to implementation of the prior final orders and attorney's fees onto a settlement track and allow the hearing to proceed to its conclusion.

Assuming the parties finalize the stipulation and the Court endorses it, we respectfully request an opportunity to present Your Honor with a proposal for a timeframe to negotiate a settlement of the remaining issues, including whether a formal settlement conference would be helpful toward that end.

Thank you for Your Honor's consideration of this request.

Sincerely,

/s/ *Elisa Hyman*

\_\_\_\_\_  
Elisa Hyman  
Counsel for the Plaintiffs

Cc: Counsel of record *via* ECF